

FORTY-THIRD DAY.

(Wednesday, March 13, 1929.)

The House met at 9:35 o'clock a. m., pursuant to adjournment, and was called to order by Mr. Minor, Speaker Pro Tem.

The roll was called, and the Speaker announced that there was not a quorum present.

Mr. Purl moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Purl, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. Purl moved that no member be issued a pass without unanimous consent of the House.

The motion prevailed.

The roll was then called, and the following members answered to their names:

Ackerman.	Graves
Adkins.	of Williamson.
Albritton.	Hardy.
Baker.	Harding.
Baldwin.	Harman.
Barnett.	Harper.
Bateman.	Heaton.
Bond.	Hefley.
Bounds.	Hines.
Bradley.	Hogg.
Brice.	Holder.
Brooks.	Hopkins.
Carpenter.	Hornaday.
Chastain.	Hubbard.
Coltrin.	Jenkins.
Conway.	Johnson
Cox of Navarro.	of Dimmit.
Cox of Lamar.	Johnson of Smith.
Cox of Limestone.	Justiss.
Davis.	Kayton.
DeWolfe.	Keeton.
Duvall.	Keller.
Enderby.	Kennedy.
Ewing.	King.
Eickenroht.	Kinnear.
Finn.	Lee.
Finlay.	Lemens.
Forbes.	Long of Wichita.
Gerron.	Loy.
Gilbert.	Mankin.
Giles.	Martin.

Mauritz.	Sanders.
Maynard.	Savage.
McCombs.	Shaver.
McDonald.	Shipman.
McGill.	Simmons.
McKean.	Sinks.
Mehl.	Smith.
Metcalf.	Snelgrove.
Minor.	Speck.
Moore.	Stephens.
Morse.	Stevenson.
Mosely.	Storey.
Mullally.	Strong.
Murphy.	Tarwater.
Negley.	Thompson.
Nicholson.	Thurmond.
Olsen.	Tillotson.
O'Neill.	Turner.
Palmer.	Van Zandt.
Patterson.	Veatch.
Pavlica.	Waddell.
Petsch.	Wallace.
Pope of Jones.	Walters.
Pope of Nueces.	Warwick.
Prendergast.	Webb.
Purl.	Wiggs.
Quinn.	Williams
Renfro.	of Travis.
Richardson.	Woodall.
Rogers.	Young.
Rountree.	

Absent—Excused.

Mr. Speaker.	Long of Houston.
Acker.	Montgomery.
Anderson.	Pool.
Avis.	Ray.
Beck.	Reader.
Dunlap.	Reid.
Fuchs.	Shelton.
Gates.	Sherrill.
Graves of Erath.	Westbrook.
Harrison.	White.
Johnson of Scurry.	Williams
Jones.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.
Kincaid.	Woodruff.
Land.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVE OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Reader for today, on motion of Mrs. Negley.

MOTION FOR CALL OF THE HOUSE.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum until 12 o'clock m. today, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—38.

Adkins.	McGill.
Baker.	McKean.
Baldwin.	Mehl.
Bradley.	Minor.
Chastain.	Moore.
Coltrin.	Morse.
Cox of Limestone.	Nicholson.
Enderby.	Pope of Jones.
Finn.	Purl.
Forbes.	Richardson.
Gerron.	Savage.
Giles.	Sinks.
Graves	Smith.
of Williamson.	Speck.
Harper.	Strong.
Hefley.	Thurmond.
Johnson	Van Zandt.
of Dimmit.	Warwick.
Kinnear.	Williams
Martin.	of Travis.
McDonald.	

Nays—60.

Ackerman.	Mauritz.
Albritton.	Maynard.
Barnett.	Metcalfe.
Bounds.	Mosely.
Brice.	Negley.
Conway.	Olsen.
Cox of Navarro.	O'Neill.
Cox of Lamar.	Palmer.
Davis.	Pavlica.
DeWolfe.	Quinn.
Ewing.	Renfro.
Eickenroht.	Rogers.
Finlay.	Rountree.
Gilbert.	Sanders.
Harding.	Shaver.
Harman.	Shipman.
Heaton.	Snelgrove.
Hines.	Stephens.
Holder.	Stevenson.
Jenkins.	Storey.
Johnson of Smith.	Tarwater.
Justiss.	Tillotson.
Kayton.	Turner.
Keeton.	Veatch.
Keller.	Waddell.
Kennedy.	Wallace.
King.	Walters.
Lee.	Webb.
Long of Wichita.	Woodall.
Loy.	

Present—Not Voting.

Carpenter.	Simmons.
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Absent.

Mr. Speaker.	Long of Houston.
Acker.	Mankin.
Anderson.	McCombs.
Avis.	Montgomery.
Bateman.	Mullally.
Beck.	Murphy.
Bond.	Patterson.
Brooks.	Petsch.
Dunlap.	Pool.
Duvall.	Pope of Nueces.
Fuchs.	Prendergast.
Gates.	Ray.
Graves of Erath.	Reader.
Hardy.	Reid.
Harrison.	Shelton.
Hogg.	Sherrill.
Hopkins.	Thompson.
Hornaday.	Westbrook.
Hubbard.	White.
Johnson of Scurry.	Wiggs.
Jones.	Williams
Kemble.	of Sabine.
Kenyon.	Williams
Kincaid.	of Hardin.
Land.	Woodruff.
Lemens.	Young.

EXPRESSING APPRECIATION TO MEMBERS OF THE PRESS.

Mr. Baldwin offered the following resolution:

Whereas, The newspapers of Texas are the practical medium through which the citizens of Texas are informed of the activities of their public servants; and,

Whereas, These newspapers have devoted much space and conscientious effort to chronicling proceedings of the Forty-first Legislature; and,

Whereas, They have been represented on the floor of this House by competent, enterprising and trustworthy writers; and,

Whereas, These young men and young women have conducted themselves in a manner in accord with rules of the House and decorum of this body; and,

Whereas, Their own intelligence, enterprise and means of communication with their newspapers have resulted in a report for the Texas public during this session seldom, if ever, exceeded in quantity and detail of news, to the end that the newspapers of Texas this legislative session have faithfully performed their public duty of keeping Texas citizens informed of the activities of their governmental agencies; therefore be it

Resolved, That we, members of the House of the Forty-first Legislature, do hereby extend our approbation and

thanks to the following gentlemen of the press and congratulate them upon their work of this session of the Legislature and make our welcome retroactive and offer the hope and desire that each and every one of them may be with us at succeeding special sessions of this body:

R. W. Barry, Associated Press.
Harold Banks, Associated Press.
Gordon Shearer, United Press.
Ruth Cowan, United Press.
W. M. Thornton, Dallas News.
Walter Hornaday, Dallas News.
Barry Bishop, Dallas News.
Harry Benge Crozier, Dallas News.
Raymond Brooks, Austin American.
Ed Killman, Houston Post-Dispatch.
Edmunds Travis, Houston Post-Dispatch.
Clay Grobe, Houston Chronicle.
Marshall Monroe, Houston Chronicle.
Jack Fernandez.
Dawson Duncan.
Harold Lee.
William Gaines.
Morris Midkiff.
Edward Newton.
Byron Utecht, Fort Worth Star-Telegram.
Van Kennedy.

And that this resolution be spread upon the Journal of the House.

The resolution was read second time and was adopted.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Holder, Senate bill No. 603 was ordered not printed.

On motion of Mr. Forbes, Senate bill No. 587 was ordered not printed.

PROVIDING FOR APPROPRIATIONS COMMITTEE TO WORK BETWEEN SESSIONS.

Mr. Kayton offered the following resolution:

Whereas, It will result in the saving of much time of the Legislature to have the general appropriation bills ready for introduction as early as possible at a called session of this Legislature, at which the Governor will submit this as one of the subjects for consideration; therefore, be it

Resolved, That the Appropriations Committee of the House be, and is hereby, authorized to meet after adjournment of this session and before the convening of the First Called Session at such time as the committee shall deem best and continue in session for the purpose of preparing appropriation

bills to be introduced at such Called Session; and be it further

Resolved, That each member of said committee be entitled to receive all necessary and reasonable expenses, including traveling expenses, incurred in the performance of his duties as a member of said committee; provided, however, that each member shall present a statement of the expenses incurred by him while in the performance of his duty as a member of said committee; and be it further

Resolved, That the chairman of said committee shall appoint such help, including a clerk, as may be necessary for the work of said committee. The compensation of such clerk and other employees of the committee shall be the same as provided for similar services for employees of the House at this session. Should it be necessary for any of said employees to accompany the committee, or a subcommittee thereof, on a trip outside of Austin, such employees shall be entitled to receive necessary expenses incurred on such trips, the same to be itemized and approved by the chairman of said committee; be it further

Resolved, That said expenses as herein provided for be paid out of the contingent expense fund of the House as provided by law and the rules of the House.

Signed—Kayton, Hornaday, Hubbard, Finn, Wallace, Thompson, Davis, Westbrook, Kemble, McGill, Reid, Gilbert, Woodall, Young, Graves of Williamson, Mosely, King, Holder, Cox of Navarro, Murphy, Snelgrove.

The resolution was read second time and was adopted.

COMMEMORATING BIRTHDAY OF HON. RICHARD COKE.

Mr. Baldwin offered the following resolution:

Whereas, This March 13th, 1929, is the one hundredth anniversary of the birth of Richard Coke, the lion-hearted patriot of Texas who, as a loyal and devoted son of the South, fought with those who wore the gray in their heroic endeavor to preserve to the people their property, privileges and liberty as guaranteed and reserved to them by the Constitution of the United States; and

Whereas, By his splendid courage as a soldier, and particularly his fearless action under fire, he exemplified those noble traits of character which are possessed alone by those who fight as patriots and for principle; and

Whereas, His active and colorful life was mostly spent in service to the people of Texas. As a lawyer, he was known for his unusual industry and for the great amount of work he was able to accomplish. There are comparatively few who know that he served as a member of the Supreme Court of Texas, but the well-informed, and particularly the lawyers, know that he showed ability in that capacity, and evidence of his ability to think clearly and to express himself concisely is indicated by his opinion in the case of Culberson vs. Cabeen, 29 Texas, 249, et seq. Those now living who knew him often speak of his services to the people of Texas in overthrowing the rule of the carpet-baggers as the greatest accomplishment of his career, but it is believed that his services in connection with the writing and adoption of the Constitution of 1876 and his decisions as a member of the Supreme Court of Texas probably reflect his best efforts in public service, yet his career as Governor of Texas is alone sufficient to entitle him to the esteem and admiration of the people of this State. It was during his administration that the carpet-baggers were driven from the State, and as Governor he restored the credit of Texas. At the close of the Civil War the State owed practically no debts, yet in 1874 she owed three and one-half million dollars, besides various undetermined claims. The efforts of Governor Coke resulted in the sale of State bonds, strengthening of tax laws, and, as the result of this, those bonds soon increased in value and the financial affairs of this State were soon upon a sound basis. He secured from the United States land scrip for 180,000 acres of land for the founding of A. and M. College, which was opened through his efforts on October 4th, 1876. He was elected to the United States Senate in 1876 and resigned the office of Governor, taking the oath of Senator in 1876. His distinguished services in that body are such as to endear him forever to the people of this State, and are so well known that it would be useless to enumerate them here. Probably the controlling factor in this great man's career, outside of his overshadowing ability, was his fidelity to those principles of law and government in which he believed; and

Whereas, This and other generations of Texans are greatly indebted to this beloved soldier, jurist and statesman for his services in their behalf; therefore, be it

Resolved, by the House of Representa-

tives of the State of Texas, on this the one hundredth anniversary of his birth, That the people of this State owe to his memory a debt of gratitude and this body, by this resolution, desires to recognize the merit and worth of his services and to thus attest its admiration for him.

Signed—Baldwin, Westbrook, Harman.

The resolution was read second time and was adopted by a rising vote.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 613, "An Act amending an act approved on February 11, 1929, creating the 109th Judicial District, same being Senate bill No. 9."

S. B. No. 605, "An Act to diminish the civil jurisdiction of the county court of Nueces county; to conform the jurisdiction of the 113th District Court of Nueces county thereto," etc.

S. B. No. 315, "An Act fixing the compensation for the Assistant Attorney General at \$3000 annually, payable monthly; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

PROVIDING FOR COMPILING CERTAIN DATA BY CALENDAR CLERK.

Mr. Rountree offered the following resolution:

Whereas, It would be of great value to the members of the Legislature, and through them to the people of Texas, to have a complete record of all measures passed at this session of the Legislature, arranged in numerical order, with brief purpose of measures given; and

Whereas, This can be done and mailed to every member of the Legislature within a few days after the adjournment of this session and at a total cost of less than eighty-five dollars (\$85), including postage; now, therefore, be it

Resolved, That the Calendar Clerk and the Assistant Calendar Clerk be allowed five extra days following the adjournment of this session to compile and mail out such record, and a stenographer to assist them one day, and that they be allowed postage for mailing out same; said Calendar Clerk, Assistant Calendar Clerk and stenographer to receive the same compensation as they

receive while the Legislature is in session, to be paid out of the mileage, per diem and contingent expense fund, and that the postage required to be paid out of the contingent expense fund of the House.

Signed—Rountree, Metcalfe, Woodall.
The resolution was read second time and was adopted.

COMMUNICATION FROM IRA P. HILDEBRAND.

The Speaker laid before the House and had read the following communication:

The University of Texas
School of Law

Austin, Texas, March 9, 1929.

Mrs. Louise Snow Phinney, Chief Clerk,
House of Representatives.

My Dear Mrs. Phinney: Many thanks for sending me a copy of a resolution unanimously passed by the House of Representatives with reference to my assisting the attorneys at Paris, Texas, in the McDonald will case. Will you please express to Mr. Fred Minor, as Speaker of the House of Representatives, and all other members of the House, my appreciation of the confidence expressed in me by this resolution.

Yours very sincerely,
IRA P. HILDEBRAND.

COMMUNICATION IN REGARD TO W. S. SIMKINS.

The Speaker laid before the House and had read the following communication:

Austin, Texas, 1929.

Hon. Fred H. Minor, Speaker Pro Tem.
of the House of Representatives, Forty-first Legislature:

Please convey to the members of the House of Representatives of the Forty-first Legislature our appreciation of the resolutions of respect in memory of our father, William Stewart Simkins, who passed into Life Eternal on February the twenty-seventh, 1929.

It is a comfort to us to realize that the attainments and usefulness of his long career are so fully recognized by his many friends.

HELEN SIMKINS LAWTHER,
ELIZABETH SIMKINS MASTERSON.
March the Eleventh, 1929.

RELATING TO RUNNING MOTOR BUS THROUGH THE CAPITOL GROUNDS.

Mr. Purl offered the following resolution:

Whereas, The Austin Street Railway is running a motor bus through the Capitol grounds without a franchise and without authority; therefore, be it

Resolved, That we, the members of the House of Representatives of the Forty-first Legislature, request the Attorney General to take legal steps to stop this illegal practice.

The resolution was read second time.

On motion of Mr. Kayton, the resolution was tabled.

HOUSE BILL NO. 314 WITH SENATE AMENDMENTS.

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 314, A bill to be entitled "An Act changing the names of certain State eleemosynary institutions and State institutions named and described in this act; providing for the control of such institutions by the State Board of Control; providing for the appointment of superintendents of said institutions, their terms and powers; providing for the manner of their compensation; repealing all laws in conflict herewith; providing that all laws applicable to the institutions under names by which they are now known shall be applicable to the institutions under the names herein indicated, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Van Zandt, the House concurred in the Senate amendments.

PROVIDING FOR COMPILING THE SESSION LAWS.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 45, Providing for compiling session laws.

Whereas, It is necessary for the laws of the Regular Session of the Forty-first Legislature of Texas to be compiled, indexed and printed; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Secretary of State be, and is hereby, fully authorized and empowered to employ a competent lawyer to compile, index, compare and do all other work necessary to the publication of the laws of the Forty-first Legislature

of the State of Texas, and that all expenses of same (not to exceed the sum of five hundred dollars (\$500) be paid out of the contingent expense fund of the Regular Session of the Legislature.

The resolution was read second time and was adopted.

PROVIDING FOR SUSPENDING THE HOUSE RULE TO CONSIDER CERTAIN BILLS.

Mr. Morse offered the following resolution:

Whereas, It is necessary to consider further Senate bills on suspension calendar; therefore, be it

Resolved, That Section 3 of Rule 23, be suspended until 11:30 a. m. this morning.

The resolution was read second time and was adopted.

(Mr. Wallace in the chair.)

TENDERING THANKS TO HON. FRED H. MINOR.

Mr. Graves of Williamson offered the following resolution:

Whereas, On account of the serious illness of Speaker W. S. Barron it became necessary for the Forty-first Legislature to elect a Speaker pro tem. to preside over their sessions during such illness; and

Whereas, The House unanimously elected the Hon. Fred Minor as such Speaker pro tempore, who has presided over the sessions of such Forty-first Legislature with dignity and fairness; therefore, be it

Resolved by the House of Representatives of the Forty-first Legislature, That it tenders to the Hon. Fred Minor, its Speaker pro tempore, its sincere thanks for his distinguished services in behalf of such House and here expresses its appreciation for his care, courage and fidelity in the discharge of his duties as such Speaker.

Signed—Graves of Williamson, Gilbert, Shaver, Eickenroht, Waddell.

The resolution was read second time and was adopted by a rising vote.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, March 13, 1929.

Hon. W. E. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 605 by a viva voce vote.

Has adopted the free conference committee report on House bill No. 654 by the following vote: Yeas, 20; nays, 6.

Has passed the following:

H. B. No. 117, A bill to be entitled "An Act regulating the season for taking fur-bearing animals, and regulating the taking of and traffic in hides and skins from fur-bearing animals," with amendments.

H. B. No. 309, A bill to be entitled "An Act prescribing that physical education courses approved by the State Department of Education shall be taught in the public schools of Texas, and authorizing the State Superintendent of Public Instruction to provide for the direction and supervision of physical education instruction in the public schools," with amendments.

H. B. No. 496, A bill to be entitled "An Act providing that there shall be allowed to county judges, clerks of the district and county courts, sheriffs, county treasurers, tax assessors and collectors, books, stationery, blanks and all office furniture and supplies that may be necessary for a proper administration of their offices."

H. B. No. 503, A bill to be entitled "An Act authorizing the Board of Normay Regents of the Texas State Teachers Colleges to make contracts for the erection of dormitories, to purchase or lease lands and other appurtenances for dormitories."

H. B. No. 314, A bill to be entitled "An Act adding Article 3202a, changing the name of the Deaf and Dumb Asylum to Texas School for the Deaf, etc., and declaring an emergency," with amendments.

H. B. No. 532, A bill to be entitled "An Act to provide for the appointment of an assistant district attorney in certain counties."

H. B. No. 583, A bill to be entitled "An Act to amend Articles 833 and 834 of the Penal Code of the State of Texas for 1925, so as to give the State Highway Commission authority to forbid the use of roads and bridges under certain circumstances," with amendments.

H. B. No. 629, A bill to be entitled "An Act prohibiting the sale of fish during the months of February and March in Cass, Bowie, Morris and Titus counties."

H. B. No. 736, A bill to be entitled "An Act fixing the compensation and fees of the office of the tax assessor and of the tax collector of Fannin county, Texas, for assessing and collecting taxes for the independent road districts, and amending Section 54 of Chapter 58 of

the Special Laws of the Thirty-third Legislature, approved March 19, 1913, so as to place the fee of such offices for assessing and collecting said taxes at three-fifths of one cent on the one hundred dollars (\$100) valuation of the property in said districts."

H. B. No. 742, A bill to be entitled "An Act amending Article 5397, and providing that any claim which has been forfeited by any locator or owner by reason of the failure to pay rental or royalty may be reinstated by the locator or owner within ninety days from the date of the forfeiture upon payment of all rentals and royalties due the State on said claim by said locator or owner, and declaring an emergency."

H. B. No. 347, A bill to be entitled "An Act to validate all ad valorem tax levies heretofore made by independent school districts in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective independent school districts to make such levies by order, and declaring an emergency."

Has refused to pass to third reading:

H. B. No. 638, A bill to be entitled "An Act providing for a shrimp and oyster canner's license, manner of making application, fees and form of license, tax on net weight of shrimp and oysters possessed and canned, inspection by Game, Fish and Oyster Commissioner or his deputies, form and manner of keeping records and making reports, suits for recovery of taxes or fees, disposition of taxes, fines and fees, and other regulations of the shrimp and oyster canning business, penalties, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS.

Assistant Secretary of the Senate.

(Mr. Minor in the chair.)

RELATING TO SENATE JOINT RESOLUTION NO. 10.

Mr. Baldwin offered the following resolution:

Resolved, That the House Journal of Monday, March 11, be corrected to show that the vote for Senate joint resolution No. 10 was 100 yeas and 30 nays by reason of the fact that the following "yeas" were recorded as present and paired, Sherrill, Olsen, Young, and the following "nay" was recorded as present and paired, Webb, and that the Speaker be instructed to certify to the Senate that Senate joint resolution No. 10 passed the House by the necessary two-thirds majority.

The resolution was read second time.

Mr. Tillotson raised a point of order on further consideration of the resolution on the ground that the resolution is out of order under the rules of the House.

The Speaker sustained the point of order.

Mr. Morse raised the following point of order:

Mr. Speaker: I raise the point of order that the Speaker did not properly announce the result of the vote on Senate joint resolution No. 10, the road bond amendment, in announcing that the resolution had failed to pass (not receiving the necessary two-thirds vote). And further that the Journal does not reflect the true result of the vote, as shown on pages 1673 and 1674, House Journal of Monday, March 11, 1929. And that the following members should be recorded as voting "yea": Mr. Barron, Mr. Sherrill, Mr. Olsen and Mr. Young, and that the Journal should record 101 "yea" votes. The record reflects 97 yeas, 30 nays, 3 present and not voting, 12 absent, 7 absent-excused.

Therefore, I request that the Speaker direct that the Journal be corrected to show that Senate joint resolution No. 10 did receive the necessary two-thirds vote and did pass, and that the Speaker order that Senate joint resolution be sent back to the Senate with the message that it has finally passed in the House with amendments.

My reasons for the above are as follows: Section 7 of Rule 12 of the House of Representatives reads as follows: "All pairs must be announced when the roll is called, and the written statement thereof sent to the Clerk. Such pairs shall be entered on the Journal and the members present shall be counted to make a quorum."

In smaller type just below this section appears the following: "'Clerk' in this section refers only to the Journal Clerk."

Section 4 of Rule 4, House of Representatives, second paragraph, reads as follows: "Every vote of the House shall also be entered on the Journal with a concise statement of the action and of the result." In smaller type immediately following this paragraph is the following: "The pairs are entered on the Journal as a part of the vote."

The Speaker overruled the point of order.

Mr. Morse appealed from the ruling of the Chair, and the appeal was duly seconded.

(Mr. Storey was called to the chair pending the appeal.)

Mr. Chastain moved the previous question on the appeal from the ruling of the Chair, and the main question was ordered.

Question—Shall the Chair be sustained in his ruling on the point of order?

The House sustained the ruling of the Chair by the following vote:

Yeas—96.

Ackerman.	Mankin.
Adkins.	Martin.
Albritton.	Mauritz.
Baker.	Maynard.
Barnett.	McDonald.
Beck.	McGill.
Bounds.	McKean.
Brice.	Mehl.
Brooks.	Moore.
Carpenter.	Mosely.
Chastain.	Mullally.
Coltrin.	Murphy.
Conway.	Olsen.
Cox of Navarro.	Palmer.
Cox of Lamar.	Patterson.
Cox of Limestone.	Pavlica.
Davis.	Pope of Jones.
DeWolfe.	Pope of Nueces.
Duvall.	Purl.
Enderby.	Renfro.
Ewing.	Rogers.
Eickenroht.	Rountree.
Finn.	Sanders.
Finlay.	Savage.
Forbes.	Shaver.
Gerron.	Shipman.
Gilbert.	Simmons.
Giles.	Sinks.
Hardy.	Smith.
Harding.	Snellgrove.
Harman.	Stephens.
Harper.	Stevenson.
Heaton.	Storey.
Hefley.	Strong.
Hines.	Tarwater.
Hogg.	Thurmond.
Holder.	Tillotson.
Hopkins.	Turner.
Hornaday.	Veatch.
Hubbard.	Waddell.
Jenkins.	Wallace.
Johnson of Smith.	Walters.
Kayton.	Warwick.
Keller.	Webb.
Kennedy.	Wiggs.
King.	Williams of Travis.
Lee.	Woodall.
Loy.	Young.

Nays—12.

Baldwin.	Graves
Bateman.	of Williamson.
Bradley.	Johnson of Dimmit.

Justiss.
McCombs.
Morse.
Quinn.

Richardson.
Thompson.
Van Zandt.

Absent.

Mr. Speaker.	Metcalfe.
Acker.	Montgomery.
Anderson.	Negley.
Avis.	Nicholson.
Bond.	O'Neill.
Dunlap.	Petsch.
Fuchs.	Pool.
Gates.	Prendergast.
Graves of Erath.	Ray.
Harrison.	Reader.
Johnson of Scurry.	Reid.
Jones.	Shelton.
Keeton.	Sherrill.
Kemble.	Speck.
Kenyon.	Westbrook.
Kincaid.	White.
Kinnear.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Hardin.
Long of Wichita.	Woodruff.

Mr. Kayton moved to reconsider the vote by which the House sustained the Chair, and to table the motion to reconsider.

The motion to table prevailed.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 113, "An Act to amend Articles 2669, 2670, 2671, 2672 and 2673 of Chapter 10, Title 49, of the Revised Civil Statutes of the State of Texas of 1925, relating to the investment of the permanent school fund by the State Board of Education by providing for the purchase by said board of bonds of the United States, the State of Texas, the bonds of counties of the State of Texas, the bonds of the independent school districts of Texas, and of the common school districts of said State, and the bonds of any incorporated city or town, and the bonds of road precincts of any county of the State of Texas, and the bonds of any drainage, irrigation, navigation and levee districts of any county or counties of Texas, and the obligations and pledges of the University of Texas."

H. B. No. 518, "An Act providing for the open season on squirrels in certain counties; providing penalty, and declaring an emergency."

H. B. No. 157, "An Act to amend

Chapter 155, page 266, Section 1, Acts of Thirty-ninth Legislature, 1925, so as to grant to all incorporated cities and towns the banks, beds and channels and the abandoned banks, beds and channels of all rivers, streams and other channels within their corporate limits."

H. B. No. 654, "An Act defining motor carrier and placing such motor carriers under the regulation of the Railroad Commission of Texas; providing for the classification of motor carriers into classes, and providing that every motor carrier in order to operate on the public highways must have a permit or certificate of public convenience and necessity; providing further, that such motor carriers may not operate without filing with the Railroad Commission of Texas a bond or insurance policy which will protect the public for injuries or loss resulting from such operation; declaring that such motor carriers are common carriers, and giving to the Railroad Commission the power to regulate the routes and rates, schedules, service and safety of such motor carriers."

SENATE BILL NO. 587 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 587, A bill to be entitled "An Act making it unlawful to shoot at or kill any wild deer in Parker or Palo Pinto counties, and providing a penalty, and declaring an emergency."

The bill was read second time and was passed to third reading

SENATE BILL NO. 587 ON THIRD READING.

Mr. Forbes moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 587 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Adkins.	Chastain.
Albritton.	Coltrin.
Barnett.	Conway.
Bateman.	Cox of Navarro.
Beck.	Cox of Lamar.
Bounds.	Cox of Limestone.
Bradley.	Davis.
Brice.	DeWolfe.
Brooks.	Duvall.
Carpenter.	Enderby.

Ewing.	Nicholson.
Eickenroht.	Olsen.
Finn.	Palmer.
Forbes.	Patterson.
Gerron.	Pavlica.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Hardy.	Purl.
Harman.	Quinn.
Harper.	Renfro.
Hefley.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Shipman.
Jenkins.	Simmons.
Johnson of Smith.	Sinks.
Justiss.	Smith.
Kayton.	Snelgrove.
Keeton.	Speck.
Kennedy.	Stephens.
Kinnear.	Stevenson.
Lee.	Strong.
Lemens.	Tarwater.
Long of Wichita.	Thompson.
Loy.	Thurmond.
Martin.	Tillotson.
Mauritz.	Turner.
McCombs.	Van Zandt.
McDonald.	Veatch.
McGill.	Waddell.
McKean.	Wallace.
Mehl.	Walters.
Minor.	Warwick.
Moore.	Webb.
Morse.	Williams
Mosely.	of Travis.
Mullally.	Woodall.
Murphy.	Young.
Negley.	

Nays—1.

Baker.

Absent.

Mr. Speaker.	Jones.
Acker.	Keller.
Ackerman.	Kemble.
Anderson.	Kenyon.
Avis.	Kincaid.
Baldwin.	King.
Bond.	Land.
Dunlap.	Long of Houston.
Finlay.	Mankin.
Fuchs.	Maynard.
Gates.	Metcalfe.
Gilbert.	Montgomery.
Graves of Erath.	O'Neill.
Harding.	Petsch.
Harrison.	Prendergast.
Heaton.	Ray.
Johnson	Reader.
of Dimmit.	Reid.
Johnson of Scurry.	Shelton.

Sherrill.
Storey.
Westbrook.
White.
Wiggs.

Williams
of Sabine.
Williams
of Hardin.
Woodruff.

The Speaker then laid Senate bill No. 587 before the House on its third reading and final passage.

The bill was read third time and was passed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 13, 1929.
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 49, Providing for the recalling of House bill No. 736 to the Senate for further consideration.

S. C. R. No. 48, Providing for suspension of the twenty-four-hour joint rule.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

EXPRESSING APPRECIATION TO MISS ELSIE NELSON.

Mr. Hopkins, on the part of the members of the House, presented Miss Elsie Nelson with a wrist watch as a token of appreciation for her efficient services as telephone operator.

SENATE BILL NO. 444 ON SECOND READING.

On motion of Mr. Holder, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 444, A bill to be entitled "An Act to amend Article 4891 of the Revised Civil Statutes of 1925 of the State of Texas, and to provide the conditions under which co-insurance clauses may be used in policies of insurance covering losses by fire to property in this State, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 444 ON THIRD READING.

Mr. Purl moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 444 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Ackerman.	McCombs.
Adkins.	McGill.
Albritton.	McKean.
Baker.	Mehl.
Baldwin.	Minor.
Barnett.	Moore.
Bateman.	Morse.
Beck.	Mullally.
Bounds.	Murphy.
Bradley.	Negley.
Brice.	Nicholson.
Brooks.	Olsen.
Chastain.	Palmer.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Navarro.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Purl.
DeWolfe.	Quinn.
Duvall.	Renfro.
Ewing.	Richardson.
Eickenroht.	Rogers.
Finn.	Rountree.
Finlay.	Sanders.
Forbes.	Savage.
Gerron.	Shaver.
Gilbert.	Shipman.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Smith.
Hardy.	Snelgrove.
Harper.	Speck.
Hefley.	Stephens.
Hines.	Stevenson.
Hogg.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Hornaday.	Thompson.
Hubbard.	Thurmond.
Justiss.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Keller.	Waddell.
Kennedy.	Wallace.
Kinnear.	Walters.
Lee.	Warwick.
Lemens.	Webb.
Long of Wichita.	Williams
Loy.	of Travis.
Martin.	Woodall.
Mauritz.	Young.
Maynard.	

Absent.

Mr. Speaker.	Graves of Erath.
Acker.	Harding.
Anderson.	Harman.
Avis.	Harrison.
Bond.	Heaton.
Carpenter.	Jenkins.
Dunlap.	Johnson
Enderby.	of Dimmit.
Fuchs.	Johnson of Smith.
Gates.	Johnson of Scurry.

Jones.	Prendergast.
Kemble.	Ray.
Kenyon.	Reader.
Kincaid.	Reid.
King.	Shelton.
Land.	Sherrill.
Long of Houston.	Tillotson.
Mankin.	Westbrook.
McDonald.	White.
Metcalfe.	Wiggs.
Montgomery.	Williams
Mosely.	of Sabine.
O'Neill.	Williams of Hardin.
Patterson.	Woodruff.

The Speaker then laid Senate bill No. 444 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Ackerman.	King.
Adkins.	Kinnear.
Albritton.	Lee.
Baker.	Lemens.
Barnett.	Long of Wichita.
Bateman.	Loy.
Beck.	Martin.
Bounds.	Mauritz.
Bradley.	Maynard.
Brice.	McCombs.
Brooks.	McGill.
Chastain.	McKean.
Coltrin.	Mehl.
Conway.	Minor.
Cox of Navarro.	Moore.
Cox of Limestone.	Morse.
Davis.	Mosely.
DeWolfe.	Mullally.
Duvall.	Murphy.
Ewing.	Negley.
Eickenroht.	Nicholson.
Finn.	Olsen.
Finlay.	Palmer.
Forbes.	Patterson.
Gerron.	Pavlica.
Gilbert.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Hardy.	Purl.
Harper.	Quinn.
Heaton.	Renfro.
Hefley.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Shipman.
Jenkins.	Simmons.
Kayton.	Sinks.
Keeton.	Smith.
Keller.	Snelgrove.
Kennedy.	Speck.

Stevenson.	Veatch.
Storey.	Waddell.
Strong.	Walters.
Tarwater.	Warwick.
Thompson.	Webb.
Thurmond.	Woodall.
Turner.	Young.
Van Zandt.	

Absent.

Mr. Speaker.	Land.
Acker.	Long of Houston.
Anderson.	Mankin.
Avis.	McDonald.
Baldwin.	Metcalfe.
Bond.	Montgomery.
Carpenter.	O'Neill.
Cox of Lamar.	Prendergast.
Dunlap.	Ray.
Enderby.	Reader.
Fuchs.	Reid.
Gates.	Shelton.
Graves of Erath.	Sherrill.
Harding.	Stephens.
Harman.	Tillotson.
Harrison.	Westbrook.
Johnson	White.
of Dimmit.	Wiggs.
Johnson of Smith.	Williams
Johnson of Scurry.	of Sabine.
Jones.	Williams
Justiss.	of Hardin.
Kemble.	Williams
Kenyon.	of Travis.
Kincaid.	Woodruff.

RECALLING HOUSE BILL NO. 736.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 49, Recalling House bill No. 736.

Be it resolved by the Senate, the House of Representatives concurring, That the House of Representatives be requested to return to the Senate House bill No. 736, for the purpose of adopting a corrective amendment.

The resolution was read second time and was adopted.

TO SUSPEND CERTAIN RULE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 48, Providing for suspending certain rule.

Be it resolved by the Senate, the House of Representatives concurring, That the joint rule of the House and Senate, Section 11, which provides that no bill can be considered during the last twenty-four hours before the time fixed for sine die adjournment be and the same is hereby suspended.

The resolution was read second time. Mr. Storey offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 48 by adding after the word "suspended," it being last word in said resolution, the following: "Provided, however, that no bill or resolution shall be considered except local bills and such other bills and resolutions to which no objection has been raised."

Signed—Storey, Petsch, Hubbard.

On motion of Mr. Keller, the amendment was tabled.

The roll was called on the adoption of the resolution, and developed the fact that there was not a quorum present.

Mr. Holder moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Holder, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was called and a quorum was announced present.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum pending consideration of Senate concurrent resolution No. 48, and the call was duly ordered.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Petsch raised a point of order on further consideration of the resolution at this time on the ground that the House must consider constitutional amendments at this time.

The Speaker overruled the point of order.

Mr. Holder moved the previous question on the resolution, and the main question was ordered.

The resolution was adopted by the following vote:

Yeas—69.

Mr. Speaker.	Bateman.
Adkins.	Bounds.
Barnett.	Bradley.

Brice.	McCombs.
Brooks.	McGill.
Carpenter.	McKean.
Chastain.	Metcalfe.
Coltrin.	Moore.
Conway.	Mosely.
Cox of Navarro.	Mullally.
Cox of Lamar.	Negley.
DeWolfe.	Olsen.
Duvall.	Palmer.
Eickenroht.	Patterson.
Finn.	Pope of Jones.
Finlay.	Pope of Nueces.
Forbes.	Purl.
Gerron.	Quinn.
Gilbert.	Renfro.
Graves	Sherrill.
of Williamson.	Shipman.
Harding.	Smith.
Harman.	Snelgrove.
Harrison.	Speck.
Hefley.	Stevenson.
Hogg.	Strong.
Holder.	Thurmond.
Hornaday.	Van Zandt.
Justiss.	Waddell.
Keller.	Walters.
Kennedy.	Webb.
King.	Wiggs.
Kinnear.	Williams
Lee.	of Travis.
Loy.	Woodall.
Martin.	

Nays—33.

Ackerman.	Mankin.
Albritton.	Mehl.
Anderson.	Morse.
Baker.	Murphy.
Beck.	Nicholson.
Cox of Limestone.	Pavlica.
Enderby.	Pool.
Giles.	Richardson.
Hardy.	Sanders.
Harper.	Shaver.
Hubbard.	Simmons.
Jenkins.	Tarwater.
Johnson	Tillotson.
of Dimmit.	Turner.
Jones.	Veatch.
Kayton.	Warwick.
Keeton.	Young.

Present—Not Voting.

Johnson of Smith.	Stephens.
Lemens.	

Absent.

Acker.	Fuchs.
Avis.	Gates.
Baldwin.	Graves of Erath.
Bond.	Heaton.
Davis.	Hines.
Dunlap.	Hopkins.
Ewing.	Johnson of Scurry.

Kemble.	Reid.
Kenyon.	Rogers.
Kincaid.	Rountree.
Land.	Savage.
Long of Houston.	Shelton.
Long of Wichita.	Sinks.
Mauritz.	Storey.
Maynard.	Thompson.
McDonald.	Westbrook.
Montgomery.	White.
O'Neill.	Williams
Petsch.	of Sabine.
Prendergast.	Williams
Ray.	of Hardin.
Reader.	Woodruff.

Absent—Excused.

Wallace.

Mr. Keller moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider. The motion to table prevailed.

PRESENTATION TO SPEAKER BARRON.

Mr. Holder, on behalf of the members of the House, presented Speaker Barron with a watch and chain.

Mr. Minor, on behalf of the Speaker's Parliamentarian, secretary and special clerks, presented Speaker Barron with a lounging robe.

Mr. Dunn, Reading Clerk of the House, on behalf of the elected officers of the House, presented Speaker Barron with a Gladstone bag.

Mr. McCombs, on behalf of the Engraving Department, presented Speaker Barron with a fitted case.

Mr. Cox of Navarro, on behalf of the special clerks of the House, presented Speaker Barron with a desk set.

Mr. Sanders, on behalf of the stenographers of the House, presented Speaker Barron with an armchair.

Mr. Faulk, on behalf of the committee clerks, presented Speaker Barron with a brief case.

Mr. Woodall, on behalf of the pages of the House, presented Speaker Barron with a desk set.

Mr. Gilbert, on behalf of the porters, presented Speaker Barron with a Bible. Speaker Barron then addressed the House and thanked the donors for the gifts.

PRESENTATION TO CALENDAR CLERK.

Mr. Cox of Navarro, on behalf of the members of the House, presented Gladys Nichols, Calendar Clerk, with a fitted case.

Miss Nichols, in response to Mr. Cox's speech of presentation, thanked the House for the remembrance.

PRESENTATION TO ASSISTANT JOURNAL CLERK.

Mr. Cox of Navarro, on behalf of the members of the House, presented Gussie Louise Evans, Assistant Journal Clerk, with a fitted case.

Miss Evans, in accepting the gift, warmly thanked the House.

PRESENTATION TO SERGEANT-AT-ARMS.

Mr. Young, on behalf of the members of the House, presented Joe White, Sergeant-at-Arms, with a traveling bag.

Joe White then thanked the members of the House.

SENATE BILL NO. 366 ON SECOND READING.

On motion of Mr. Stevenson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 366, A bill to be entitled "An Act to provide for the eradication in the State of Texas of the fever-carrying tick (*Margaropus annulatus*), and making it the duty of the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks, jennets," etc.

The Speaker laid the bill before the House and it was read second time.

Mr. Metcalfe offered the following amendments to the bill:

(1)

Amend Senate bill No 366, Section 5, by adding after the name "Tyler," "Brazos, Grimes and Montgomery."

(2)

Amend Senate bill No 366, Section 5, as follows: Beginning after the words "Walker counties" in said section and strike out the words "and that part of Liberty county east of the Trinity River and north of the Gulf Coast Line of the Missouri-Pacific Railway Company."

(3)

Amend Senate bill No. 366, Section 65, by adding after the name "Tyler," "Brazos, Grimes and Montgomery."

(4)

Amend Senate bill No. 366, Section 65, as follows: Beginning after the words

"Walker counties" in said section and strike out the words "and that part of Liberty county east of the Trinity River and north of the Gulf Coast Line of the Missouri-Pacific Railway Company."

(5)

Amend Senate bill No. 366 by striking out all of Section 66.

(6)

Amend Senate bill No. 366, Section 32, by adding after the words "live stock" at the end of said section, the following:

"In order to constitute a penal offense hereunder for moving or permitting the movement of live stock from any premises, in the 'tick eradication area,' it shall be necessary that the movement be made in violation of some provision of Section 7 of this act, providing what constitutes illegal movements from separate premises, and providing the conditions and requirements under which said movements may be made and may not be made; provided further, that in order to constitute a penal offense for moving or permitting the movement of live stock from the premises and territory under local quarantine in the 'free area' by order of the 'Live Stock Sanitary Commission,' it shall be necessary that said live stock move or be permitted to move from the premises or territory described in the written notice of quarantine issued by said Commission; but it is hereby provided that it shall not be necessary for said notice to describe said premises or territory by metes and bounds, or field notes, but it shall be sufficient if said quarantine notice contains such reasonable description as will inform the persons to whom it is directed what premises or territory is covered by said quarantine notice."

(7)

Amend Section 33 of Senate bill No. 366 by inserting after the word "Commission," as shown in line 17, on page 41 of the printed bill, the following words: "or of the Bureau of Animal Industry of the United States Department of Agriculture."

(8)

Amend Section 36 of Senate bill No. 366 by striking out the following words, as shown in line 32, page 43 of the printed bill, and line 1, page 44 of the printed bill: "fence of the kind and description provided for in the next preceding section," and inserting in lieu thereof the following words: "substantial fence."

(9)

Amend Section 3 of Senate bill No. 366 by striking out the period after the word "act," in line 22, page 5 of the printed bill, and inserting a comma in lieu of said period, and inserting the following words after said comma: "or from an authorized inspector of the Bureau of Animal Industry of the United States Department of Agriculture."

(10)

Amend Section 38 of Senate bill No. 366 by inserting after the word "provided," in line 13, page 45 of the printed bill, the following words: "or an inspector of the Bureau of Animal Industry of the United States Department of Agriculture."

(11)

Amend Section 2 of Senate bill No. 366 by adding thereto after the word "act," in line 15, page 5 of the printed bill, the following words: "The term 'certificate' shall be construed to mean a certificate issued by an inspector of the Live Stock Sanitary Commission or of the Bureau of Animal Industry of the United States Department of Agriculture, showing said live stock to be free of the fever-carrying tick and also free from exposure to said fever-carrying tick. The term 'permit' shall be construed to mean a permit issued by an inspector of the Live Stock Sanitary Commission or of the Bureau of Animal Industry of the United States Department of Agriculture for permitting the movement of Southern cattle under the provisions and restrictions contained in this act."

(12)

Amend Section 5 of the bill by adding the following counties, to wit, Leon and Madison, and Section 65, by adding the counties Leon and Madison.

The amendments were severally adopted.

Mr. Sinks offered the following amendment to the bill:

Amend Section 5 of the bill by adding the following counties, to wit: "Lee, Burleson and Milam counties"; and Section 65 by adding the counties of "Lee, Burleson and Milam."

Signed—Sinks, Hefley.

On motion of Mr. Tillotson, the amendment was tabled.

Mr. Sanders offered the following amendments to the bill:

(1)

Amend Senate bill No. 366, Section 5, by striking out from said Section the words: "Cherokee, Nacogdoches, Panola and Rusk."

(2)

Amend Senate bill No. 366, Section 65, by striking out the words: "Cherokee, Nacogdoches, Panola and Rusk."

The amendments were severally adopted.

Mr. Jones offered the following amendment to the bill:

Amend Section 5 of Senate bill No. 366 by adding after the word "designated," line 22 on page 7 of the printed bill, the following words, "by the Live Stock Sanitary Commission"; and adding after the word "premises" in line 24 on page 7 of the printed bill the following words, "upon application of the commissioners courts of the said counties."

The amendment was lost.

Mr. Carpenter offered the following amendment to the bill:

Amend Senate bill No. 366, Section 29 of the bill, line 7, by changing the period after the word "act" on line 7 to a semi-colon and add the following, "provided, that this act shall not apply to dairy herds kept within an enclosure; and provided further, that whenever any of such herds may become infested with ticks, such herds shall become subject to the provisions of this act and shall be dipped until completely freed of such infestation and a certificate issued by the proper authority showing such freedom."

The amendment was lost.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 496, "An Act providing that there shall be allowed to county judges, clerks of the district and county courts, sheriffs, county treasurers, tax assessors and collectors, books, stationery, blanks and all office furniture and supplies that may be necessary for a proper administration of their offices."

H. B. No. 503, "An Act authorizing the Board of Normal Regents of the Texas State Teachers Colleges to make contracts for the erection of dormitories, to purchase or lease lands and other appurtenances for dormitories."

H. B. No. 742, "An Act amending

Article 5397, and providing that any claim which has been forfeited by any locator or owner by reason of the failure to pay rental or royalty may be reinstated by the locator or owner within ninety days from the date of the forfeiture upon payment of all rentals and royalties due the State on said claim by said locator or owner, and declaring an emergency."

H. B. No. 629, "An Act prohibiting the sale of fish during the months of February and March in Cass, Bowie, Morris and Titus counties."

H. B. No. 314, "An Act adding Article 3202a, changing the name of the Deaf and Dumb Asylum to Texas School for the Deaf, etc., and declaring an emergency."

H. B. No. 313, "An Act declaring certain fur-bearing animals the property of the State of Texas, such as wild beaver, wild otter, wild fox, wild raccoon, wild badger, wild mink, wild ring-tail cat, polecat or skunk, wild opossum and wild civet cat, and protecting the same, and declaring an emergency."

H. B. No. 232, "An Act placing a closed season on wild prairie chickens in certain counties; providing a penalty for the violation of same, and declaring an emergency."

H. B. No. 347, "An Act to validate all ad valorem tax levies heretofore made by independent school districts in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective independent school districts to make such levies by order, and declaring an emergency."

H. B. No. 532, "An Act to provide for the appointment of an assistant district attorney in certain counties."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bills Nos. 191, 536 and 270 by a two-thirds vote: Yeas, 29; nays, 0.

Has concurred in House amendments to Senate bills Nos. 86, 570 and 292 by a viva voce vote.

Has adopted the free conference committee report on Senate bill No. 226 by a two-thirds vote: Yeas, 29; nays, 0.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 161 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 161, A bill to be entitled "An Act amending Article 6814, Title 117, of the Revised Civil Statutes of the State of Texas of 1925, being an act fixing the salary of the Commissioner of the Bureau of Labor Statistics, his assistants, deputies and inspectors."

The bill was read third time and was passed.

HOUSE BILL NO. 117 WITH SENATE AMENDMENTS.

Mr. Finlay called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 117, A bill to be entitled "An Act regulating the season for taking fur-bearing animals, and regulating the taking of and traffic in hides and skins taken from fur-bearing animals."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Finlay, the House concurred in the Senate amendments.

HOUSE BILL NO. 309 WITH SENATE AMENDMENTS.

Mr. Cox of Navarro called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 309, A bill to be entitled "An Act prescribing that physical education courses approved by the State Department of Education shall be taught in the public schools of Texas; and authorizing the State Superintendent of Public Instruction to provide for the direction and supervision of physical education instruction in the public schools."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Cox of Navarro, the House concurred in the Senate amendments.

PROVIDING FOR COMPILING THE HOUSE MANUAL.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 28, providing for compiling the House Manual, the resolution having heretofore been read

second time and referred to the Committee on Rules.

Mr. Morse offered the following (committee) amendment to the resolution:

H. C. R. No. 28, Providing for the compilation of a Legislative Manual; providing for the appointment of joint committee of the two Houses to supervise such compilation; providing for the employment of qualified persons for the services required, and fixing their compensation; providing for publication of such Manual, and making an appropriation for the purposes declared in the resolution.

Section 1. Whereas, Each succeeding Legislature orders printed an entirely new set of Legislative Manuals; and

Whereas, There is in each new edition of the Legislative Manual a vast amount of unchanged matter carried over from the preceding Manual; and

Whereas, The continuation of such a practice will result in the useless expenditure of public funds; and

Whereas, The Legislative Manual now in use is incomplete; and

Whereas, The compilation and publication of a new and complete Manual with Perpetual Supplement is desirable; now therefore, be it

Resolved by the House of Representatives, the Senate concurring:

Sec. 2. That there shall be appointed a special committee consisting of two members of the Senate, to be appointed by the Lieutenant Governor and three members of the House, to be appointed by the Speaker, whose duty it shall be to arrange with some suitable person, well versed in parliamentary practices, to compile all necessary data for a Legislative Manual and Perpetual Supplement, which data shall contain the Constitution of the United States of America, and an index thereto; the Constitution of the State of Texas, and an index thereto; annotations to the Constitution of the State of Texas, and an index to said annotations; the Rules of the House of Representatives, and an index thereto; the Rules of the Senate, and an index thereto; an outline showing the progress of a bill with variations, and an index thereto; Jefferson's Legislative Manual, and an index thereto; the Legislative and Congressional Precedents, with an index thereto; Legislative Forms, and an index thereto; and such other data as may properly be included in a Legislative Manual of parliamentary procedure; all

such work to be done under the direction and supervision of the committee herein provided for.

Sec. 3. The person selected to compile the data herein authorized, if employed by the day, shall receive such compensation as in the judgment of the committee may be deemed necessary and reasonable for the character of service to be performed, not to exceed \$10 per day for each day of work actually devoted to the preparation and compilation of the Manual, and in no event shall such person be paid more than \$600. The committee, if it shall deem such service necessary, may authorize the employment of a stenographer to assist in compiling the data for the Manual, at not to exceed \$5.00 for each day's work actually performed and for a period not to exceed sixty days. If the committee, in its judgment, shall determine that the work of compiling the data required, complete for publication, may be most advantageously secured by contract, then such sum may be paid for the work as the committee shall consider reasonable, but in no event shall the sum paid for the preparation and compilation of said data ready for printing exceed \$900.

Sec. 4. When the data herein specified to be compiled is completed and has been approved by the committee herein authorized, there shall be printed and held in unbound form for the use of the House and the Senate one thousand copies of the revised Manual, one-fourth of the copies to be allotted to the Senate, and three-fourths to the House, such copies to be held in the custody of the Secretary of State, subject to the instructions of the Legislature for binding and distribution. Such compilation of data for the revision of the Legislative Manual shall be completed in time for the printing of the Manual for use by the Forty-second Legislature. The pages of the revised Manual shall be stereotyped and held under the direction of a Board of Control for any use the Legislature may determine from time to time.

Sec. 5. All costs of composition, printing and stereotyping, as of compilation of data, for the Legislative Manual, shall be paid for from the contingent funds of the two houses in the proportion of one-fourth from the Senate fund and three-fourths from the House fund; except that the cost of any copies authorized for distribution through the State Librarian shall be paid equally from the contingent funds of the two houses. All printing and

binding of the Legislative Manual shall be done under the direction of the State Board of Control.

On motion of Mr. Wallace, further consideration of the resolution was postponed indefinitely.

PROVIDING FOR POST-SESSION WORK.

Mr. Davis offered the following resolution:

Whereas, It is necessary that certain work be done for the House of Representatives following the adjournment of this session; therefore, be it

Resolved, That the following officers and employees be retained after sine die adjournment, not to exceed the number of days specified herein:

The Chief Clerk, ten days, for the purpose of collecting and arranging all bills, resolutions and petitions in her possession and delivering the same, after proper classification, to the Secretary of State, and to complete other duties imposed on her by resolutions and by the rules of the House; the Assistant to the Chief Clerk, two days, and a stenographer to assist them, one day; the Calendar Clerk and the Assistant Calendar Clerk, six days, to perform the duties imposed on them by a resolution previously adopted and to complete their records and deliver to the Chief Clerk all bills, resolutions, etc., in their possession; the clerk to the Committee on Contingent Expense, three days, for the purpose of closing up and posting expense accounts, and the stenographer to the Committee on Contingent Expense, one day, to assist her; the Warrant Clerk, four days, for the purpose of completing and posting her books; the Engrossing Clerk, two days, for the purpose of properly indexing and filing with the Secretary of State all bills and resolutions in the engrossing and enrolling departments; the Mailing Clerk and Assistant Mailing Clerk, three days, for the purpose of mailing out House Journals not received until after sine die adjournment and to complete their records and return to members unused postage in their possession; the secretary, clerk, page and the porter to the Speaker, two days, to assist him in closing up the work of his office; the Sergeant-at-Arms and the bookkeeper to the Sergeant-at-Arms, ten days, and two pages, one day, to assist them after sine die adjournment, and they shall be charged with the duty of arranging for publication in the

Journal of such stationery and supply accounts as are now required to be published or which have been ordered published by the House; also the expense account for the stationery and supplies for each member or employee of the Regular Session. The Sergeant-at-Arms shall collect all supplies and stationery left over and remaining, which shall be locked in the Sergeant-at-Arms' room for use in extra session, and he shall collect and deliver all furniture now in possession of the House to the Board of Control, taking a receipt for all such items, and an inventory of all such items shall be printed in the permanent Journal, and the Sergeant-at-Arms may retain three porters for three days, two porters for two days, and two porters for one day.

That two hundred and fifty copies of the House Journal of the Regular Session of the Forty-first Legislature, when completed, shall be printed and shall be bound in full law sheep, and that one volume, when thus bound, shall be forwarded by the Journal Clerk of the House to each member of the House of Representatives, to each elective officer of the House, and to each Senator, and the remaining shall be turned over to the Secretary of State.

The printing of such House Journals in permanent form shall be done in accordance with pre-existing laws and with the provisions of this resolution, under the supervision of the Journal Clerk of the House. And it is further provided, that the Journals herein provided for shall be delivered to the Journal Clerk of the House within sixty days after the last copy shall have been furnished to the printing contractor; and it is further provided, that the contractor shall furnish daily to the Journal Clerk of the House, for the purpose of correcting and indexing, three proofs of forty-eight pages of the House Journal as such pages will appear when finally printed. Such proofs to be furnished within one day after the copy of such batch of forty-eight pages shall have been furnished by the Journal Clerk to the contractor; and it is further provided, that it shall be the duty of the Journal Clerk of the House of Representatives not to receive or receipt for said House Journals until correctly published as required herein and by pre-existing law; provided, that the Journal Clerk shall be empowered to leave out of the permanent Journal all bills which have been printed in the daily Journal.

When said Journals have been published and the account approved by the State Printing Board, the same shall be paid out of the contingent expense fund of the Forty-first Legislature that is available; providing, that the chairman of the Committee on Contingent Expense shall not issue voucher for said amount until the Journal Clerk has certified to him that the Journals have been published and delivered in accordance with the provisions of this resolution.

The Journal Clerk and his assistant shall be retained for the period of time intervening between the Regular and First Called Sessions of the Forty-first Legislature; providing, that said period is not more than sixty days, for the purpose of correcting and indexing, and the supervision of the publication of the Journal of the House of Representatives of the Regular Session of the Forty-first Legislature, and the Legislative Manual.

That each employee so retained shall receive the same amount of salary as received for like work during this session, to be paid out of any sum appropriated for mileage and per diem of the members and officers and employees of the Regular Session of the Forty-first Legislature, the amount to be paid by warrants to be signed by the Speaker and the Chief Clerk of the House.

Provided, that the officers and employees other than the Journal Clerk and Assistant Journal Clerk retained under the provisions of this resolution shall not be paid for any day unless they report in person to the Chief Clerk on that day and actually do a reasonable day's work in the performance of the duties hereby assigned them, in order that they may complete the work for which they are hereby retained in as short a time as is practical.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed:

H. B. No. 495, A bill to be entitled "An Act relating to the registration of motor vehicles, trailers and semi-trailers; prescribing the license fees required

for their registration; providing for the distribution and appointment of all license fees collected pursuant to this act," with amendments.

H. B. No. 281, A bill to be entitled "An Act to amend Article 6215, Title 109, Revised Statutes of Texas, 1925, relative to the time of payment of pensions, affidavits supporting claims and warrants issued in payment thereof, by changing the time of payment of the pensions so as to provide that payments shall be made on the first day of each month of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

MORRIS C. HANKINS.

Assistant Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Dougherty, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office, March 13, 1929.

To the Honorable House of Representatives of the Forty-first Legislature:

I return herewith House bills No. 381, No. 539, No. 627 and No. 716.

I have vetoed each of these bills. They each appear to be bills drawn as general acts, but so worded as to attempt to confine their application to some one county. Each of them attempts to raise the salary, fees or compensation of some local officer of the county to which the separate bills are meant to apply.

I do not agree to the necessity for the increases in compensation which these several bills would carry, and for that reason I have vetoed the same and return them herewith.

Respectfully submitted,

(Signed) DAN MOODY,
Governor.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 292, "An Act amending Section 1 of Chapter 87 of the General Laws of the Regular Session of the Thirty-ninth Legislature, so as to create the Twelfth Supreme Judicial District of Texas, and creating a new Court

of Civil Appeals, said district to be composed of the counties of Hunt, Fannin, Delta, Hopkins, Rains, Kaufman, Wood, Van Zandt and Rockwall; providing for the appointment and qualifications of the judges of said Court of Civil Appeals; providing for the transfer of cases to the new Court of Civil Appeals herein created, and declaring an emergency."

S. B. No. 536, "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 86, "An Act to establish and maintain a dairy, poultry, pecan, crops and other native products experiment station on the Miles Roscoe and Abilene soil type in Taylor, Jones, Callahan or Shackelford counties, Texas, within a radius of twenty-five miles of Abilene, Taylor county, Texas; authorizing the board of directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station, and empowering said board to establish and maintain same; to accept donations of lands, water, live stock, seeds, plants and money for the establishment of the said station and for the operation of same, and declaring an emergency."

S. B. No. 191, "An Act providing for the separation of all public free school affairs in cities or towns from the municipal government therein; providing that all the power and authority over such schools shall be exercised by such cities or towns through their boards of education; providing for the election of trustees of the independent districts authorized herein; vesting the title to school property to such cities and towns in the independent district; authorizing the independent school districts to assume outstanding bonds of cities and towns issued for school purposes; repealing all laws and parts of laws in conflict with the provisions of this act, and declaring an emergency."

RECESS.

On motion of Mr. Chastain, the House, at 6 o'clock p. m., took recess to 9:30 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

State Affairs: Senate bills Nos. 538 and 596; Senate concurrent resolution No. 43.

Agriculture: Senate bills Nos. 525 and 509.

Game and Fisheries: Senate bills Nos. 96 and 378.

Conservation and Reclamation: Senate bills Nos. 578 and 514.

School Districts: Senate bill No. 606.

Education: Senate bill No. 603.

Rules: House concurrent resolution No. 28.

Highways and Motor Traffic: Senate bill No. 478.

Agriculture: Senate bill No. 443.

Banks and Banking: Senate bill No. 612.

Privileges, Suffrage and Elections: Senate bill No. 209.

Live Stock and Stock Raising: Senate bill No. 501.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 606, "An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 711, "An Act to protect the rights of the public to fishing and hunting and for park purposes in the waters of Caddo Lake and lands adjacent thereto, withdrawing such lands from sale and preserving it for fish and game and

for State park purposes as may be hereafter provided; providing that such land may be leased for mineral purposes in accordance with the law, but not otherwise sold, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 678, "An Act to provide for the selection of special venire petit jurors in cases in counties having a population of at least sixteen thousand seven hundred and seventy-five and not more than seventeen thousand, as shown by the preceding Federal census; providing that this act shall be cumulative of all other laws on the subject, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 623, "An Act prohibiting the sale of fish during the months of February and March in Cass, Bowie, Morris and Titus counties,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, March 11, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 38, Relating to Senate and House bills.

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,
Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 157, "An Act authorizing the State Board of Control to enter into

a contract with the city of Austin, Texas, leasing certain State lands," etc.

Have carefully compared same and find it correctly enrolled

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 26, Relating to return of House bill No. 153,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, February 25, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 24, Relating to return of House bill No. 413,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 11, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 39, Relating to return of House bill No. 313,

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 532, "An Act to provide for the appointment of an assistant district attorney in certain counties, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 12, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 518, "An Act providing for

the open season on squirrels in certain counties, providing a penalty, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 742, "An Act amending Article 5397, and providing that any claim which has been forfeited by any locator or owner by reason of the failure to pay rental or royalty, may be reinstated by the locator or owner within ninety days from the date of the forfeiture upon payment of all rentals and royalties due the State on said claim by said locator or owner, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 232 "An Act providing for an open season of four days on prairie chicken and pinnated grouse; providing for a bag limit, providing a penalty for violation of this act, repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,

Austin, Texas, March 13, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 347, "An Act to validate all ad valorem tax levies heretofore made by independent school districts in the State of Texas, which levies are unenforceable because of the failure of the governing bodies in such respective independent school districts to make such levies by order, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

In Memory
of
Hon. E. H. Childers

Mr. Kennedy offered the following resolution:

Whereas, Hon. E. H. Childers, for long years a useful and valuable citizen of Falls county, died at Marlin, Falls county, Texas, this the 13th day of March, 1929; and

Whereas, Mr. Childers was an active, faithful and efficient member of the House of Representatives of the Thirty-sixth and Thirty-seventh Legislatures; and

Whereas, Mr. Childers also served with credit as county treasurer of his county and was actively identified with the educational and agricultural interests of his community and of the entire State, and

Whereas, As an earnest Christian, the influence of his fine character and consistent example was always felt on the side of the good, the true and the beautiful in human life, and his passing will leave a lonely place in the hearts of many loving friends, and is a distinct loss to his county and the State of Texas; therefore, be it

Resolved by the House of Representatives of the Forty-first Legislature, That the deepest sympathy of the House be extended to his family and friends; that these resolutions be spread upon the Journal; and that a copy, signed by the Speaker and the Chief Clerk, be transmitted to the family; and that when the House adjourns today it be in honor of our former member and associate.

KENNEDY,
HARMAN,
DAVIS,
POPE of Nueces,
VEATCH.

The resolution was read second time and was adopted by a rising vote.